

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:19-cv-00487-MMD-WGC

LEONARD GATHRIGHT,

Plaintiff

V.

GRETТА PHILLIPS, et. al.,

Defendants

Order

Re: ECF No. 31

Before the court is Plaintiff's motion for enlargement of time to service defendants

Gretta Phillips and Robert Lamb. (ECF No. 31.)

In his motion, Plaintiff states that he needs help from the court to pay for service; however, Plaintiff has been granted *in forma pauperis* status; therefore, the United States Marshals will serve the summonses on the defendants at no cost. In addition, Plaintiff states that he needs help from the court because the addresses are under seal; however, the court sent the United States Marshals the addresses filed under seal along with the summonses. Plaintiff also states that he sent the USM-285 forms to the United States Marshals. The United States Marshals represented that it has not received the USM-285 forms from Plaintiff, and the docket does not reflect that they were mistakenly sent to the Clerk's Office.

In any event, Plaintiff's motion is **GRANTED**. Plaintiff shall have up to and including **April 4, 2022**, to complete service on defendants Phillips and Lamb.

The Clerk shall **re-issue** summonses for Gretta Phillips and Robert Lamb, and send the same to the U.S. Marshals with the addresses provided under seal at ECF No. 17. The Clerk shall also send two copies of the complaint (ECF No. 8) and this order to the U.S. Marshals for service

1 on the defendants. The Clerk shall **re-send** Plaintiff two USM-285 forms. Plaintiff shall fill out a
2 form for each defendant. Plaintiff need not include the addresses, as they are being forwarded
3 separately to the U.S. Marshals. The forms also need not be accompanied with any fee.

4 Plaintiff shall have until **January 27, 2022** to return the USM-285 forms to the U.S.
5 Marshals at 400 South Virginia Street, Room 201, Reno, Nevada 89501. The U.S. Marshals will
6 then attempt service.

7 As a reminder, Plaintiff has until **April 4, 2022** to complete service on Phillips and Lamb.
8 There will be no further extensions of the deadline to complete service absent a showing of good
9 cause or excusable neglect under Rule 4. If Plaintiff fails to follow this order and timely provide
10 the U.S. Marshals with the USM-285 forms, the defendants may be dismissed without prejudice
11 under Rule 4(m).

12 **IT IS SO ORDERED.**

13 Dated: January 3, 2022

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15 William G. Cobb
16 United States Magistrate Judge
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